

RCE/1624  
IFW

PATENT

Practitioner's Docket No. 2544/112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Luscombe et al.

Application No.: 10/019,921

Filed: 05/06/2002

For: Therapeutic Agents

Group No.: 1624

Examiner: Habte, Kahsay

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE)  
(37 C.F.R. § 1.114)

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. § 1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:
  - i. Prior to abandonment of the application

ENCLOSURES

3. Enclosed herewith is:

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***

*(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. \_\_\_\_\_ (mandatory)

**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

09/15/2004 EAREGAY1 00000143 10019921

01 FC:1801

770.00 01

Date: September 13, 2004

Signature

Barbara J. Carter

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

09/15/2004 EAREGAY1 00000142 10019921 420.00 01  
01 FC:1252

Other: Amendment and Response, to Accompany Request for Continued Examination

**FEE FOR REQUEST (37 C.F.R. § 1.17(e)).**

4. This application is other than small entity:

Continued Prosecution Request Fee: \$ 770.00

**FEE FOR CLAIMS**

5. The fee for claims (37 C.F.R. § 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)	(Col. 2)	(Col. 3)	SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	17	– 40	= 0	x \$ 9.00	= \$		0.00
INDEP.	2	– 3	= 0	x \$ 43.00	= \$		0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 145.00	= \$		0.00
				TOTAL ADDIT. FEE	\$		0.00

No additional fee for claims is required.

**EXTENSION OF TIME**

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for two months:

Fee: \$420.00

If an additional extension of time is required, please consider this a petition therefor.

Extension fee due with this request: \$420.00

**TOTAL FEE(S) DUE**

7. The total fee(s) due is/are:

Continued Prosecution Fee (Section 1.17(e))	\$770.00
Fee(s) for additional claims (Section 1.16(b)-(d))	\$0.00
Extension of time fee (Section 1.17(a)(1)-(4))	\$420.00

Total Fee(s) Due:	\$1,190.00
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**PAYMENT OF FEE(S) DUE**

8. Please pay the fee(s) for this continued examination application as follows:

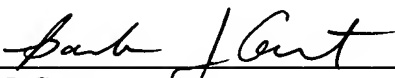
Check is attached for the sum of \$1,190.00.

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or § 1.17(a)(1)-(4) to Account 19-4972.

**INVENTORSHIP**

9. This application as amended names as inventors the same inventors as previously designated for the claims.

Date: September 13, 2004

  
\_\_\_\_\_  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

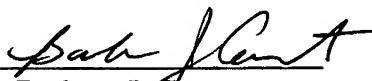
Inventor: Luscombe et al.  
Serial No.: 10/019,921  
Int'l. Filing Date: June 21, 2000  
Invention: **Therapeutic Agents**

Attorney Docket: 2544/112  
Art Unit: 1624  
Examiner: Habte, Kahsay  
Date: September 13, 2004

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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope as first class mail with sufficient postage addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 13, 2004.

  
Barbara J. Carter

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE, TO ACCOMPANY  
REQUEST FOR CONTINUED EXAMINATION**

Dear Sir:

Applicants thank the Examiner for agreeing to include substituted phenyl groups in the elected compounds for T substituents, to the extent there is support in the specification, per our telephone discussion of September 10, 2004. In reply to the Office Action of May 11, 2004, Applicants offer the following amendments and remarks, to accompany the enclosed Request for Continued Examination

**INDEX**

**Amendments to the Claims** begin on page 2.

**Remarks** begin on page 10.